

May 1<sup>st</sup>, 2013

Letter of Appeal Schools and Libraries Division – Correspondence Unit 30 Laindex Plaza West PO Box 685 Parsippany, NJ 07054-0685

# To Whom It May Concern:

Entity and BEN	LEXINGTON SCHOOL for the DEAF (BEN 12349)	
Contact Person	Maria Noto, CFO	
Contact Information	Lexington School for the Deaf	
Mailing Address	30 <sup>th</sup> Avenue and 75 <sup>th</sup> Street	•
Phone Number	Jackson Heights, NY 11370	
Email	(718) 350-3009	
	mnoto@lexnyc.org	
Contact Person	Cynthia Krulish	
Contact Information	Lexington School for the Deaf	
Mailing Address	30 <sup>th</sup> Avenue and 75 <sup>th</sup> Street	
Phone Number	Jackson Heights, NY 11370	
Email	(718) 350-3034	
	ckrulish@lexnyc.org	i
Service Provider	NFN Associates dba Pure Logic, LLC	
SPIN	143007531	
Funding Year	7/1/2012 to 6/30/2013	
Application Type and Number	Form 471 Application for Basic Maintenance # 843778	
Application Type and Number	Form 471 Application for Basic Maintenance # 891674	
Appeal Reason	Denied - Out of Window	
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### APPEAL EXPLANATION:

This one E-Rate submission has a long history of being started but not finished, completed but not certified, mailed but not received, delivered but not processed ..

I can tell you that the 471 Form was attempted four times by several people here at Lexington school but 4 of the 5 people working on these documents are no longer employed or involved with its submission. There has been a great deal of confusion, to say the least, but in reality there's no one here at Lexington who knows what to do with the E-Rate process. I have been the one put in charge of straightening out this situation. I am attempting to explain the evolution of our dilemma would greatly appreciate any assistance in this matter.

# Chronology ..

- The first 471 was attempted but not completed .. the system generated number is: 843778
- The second 471 added information to the request, was thought to be an update of the original but it generated another application number: 891674
- There was confusion at this point because the request was for funding on an existing, multi-year contract. The mistaken belief was that a 471 Form was not needed.
- The person working on these forms left our employ.
- The paper "Block 6 cert" was mailed in to the wrong address and the window closed without the certification.
- When the vendor started invoicing us we realized our mistake and inquired about the application. In December 2012 we started the reconciliation process at the suggestion of USAC/SLD.
- As instructed by the USAC Support Team, we completed a 471 Form manually, completing all
  the sections with the appropriate information. We sent the forms to Kansas via Federal Express
  and hoped that the USAC case manager would receive the document; review it and guide us in
  our next steps. (January 2013)
- We were not so lucky. I believe the document was received but thought to be a new submission that was "out of window" .. when in fact it was the start of our appeal/request process.
- We paid the vendor, Pure Logic, for six months of maintenance and support.
- Six weeks later we spoke to Megan to find the status of our case, but no documentation was
  found in USAC offices, so we had to resubmit it. We re-sent the form 471 and followed up with
  it by phone. No one seemed to know where it was .. but pointed out that the current year
  application window was closing and the volume of documentation was over-whelming. (March
  2013)
- Recently we called and confirmed that our 471 application is on file (received); awaiting data entry. We have been instructed to prepare for the appeals process. Presently we're in a "Catch 22" because the Form 471 has not been processed .. and/or denied. (April 2013)
- In order to better assist you in your review these are the following case numbers that we were given during this process; 22-474329, 22-491074 (Megan), 22-486047, 22-475059 (Becki), 22-466362 (Sherri)

Now it's May 7<sup>th</sup>, 2013 ..

We just received the "Postmarked Outside Of Window" Letter referenced as:

Applicant's Form Identifier: 471-2012-13B

471 App Number: 891674

This letter is an immediate response to your latest decision and we hope to demonstrate that we are finally "on top of the E-Rate process" by writing this appeal. There were a lot of mistakes made by many but I am looking forward to effectively completing this process with the hopes of a positive outcome.

E-Rate has funded the above mentioned service at Lexington for over the past decade and we truly rely on this funding to provide assistance to us on the basic maintenance of our networking equipment and servers. This would be a real hardship if application is rejected since our funding is very limited and we serve a population of impoverished deaf children who would otherwise not have the benefits of the internet.

Thank you in advance for your assistance in this matter.

Sincerely,

Maria Noto

Chief Financial Officer

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Lexington School for the Deaf

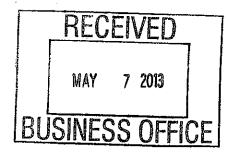
718-350-3009





# TIME SENSITIVE MATERIAL

00001 MARIA VEGA LEXINGTON SCHOOL FOR THE DEAF 30TH AVE AND 75TH ST JACKSON HTS, NY 11370







### **FUNDING YEAR 2012 FORM 471** POSTMARKED OUTSIDE OF WINDOW

April 26, 2013

MARIA VEGA LEXINGTON SCHOOL FOR THE DEAF 30TH AVE AND 75TH ST JACKSON HTS, NY 11370

Re: Applicant's Form Identifier: 471-2012-13B Form 471 Application Number: 891674

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application and/or certification was submitted online or postmarked AFTER the deadline for an application to be considered as filed within the window.

Program rules require us to hold your application pending final review of those applications that were filed within the window. We will post an announcement on the USAC website at www.usac.org/slonce we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future funding years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

# TO APPEAL THIS DECISION:

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

- 1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
- 2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:

- Appellant name, Applicant or service provider name,

- BEN,
- Application number 891674 as assigned by USAC,
   "Funding Year 2012 Form 471 Postmarked Outside of Window Letter,"
- The exact text or the decision that you are appealing.
- 3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

Schools and Libraries Division - Correspondence Unit 30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685 Visit us online at: www.usac.org/sl





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- 4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
- 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973)599-6542.

To submit your appeal to us on paper, send your appeal to: Letter of Appeal Schools and Libraries Division - Correspondence Unit 30 Lanidex Plaza West PO Box 685 Parsippany, NJ 07054-0685

You have the option of filing an appeal with USAC or with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division Universal Service Administrative Company

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